GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Panchayat Raj and Rural Development Department – Sri P.Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District - Departmental proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Issued.

==========

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 464 **Dated: 15-05-2018**

ORDER:

It is proposed to hold an inquiry against Sri P.Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri P.Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District is directed to submit his written statement of defence within ten (10) days of the receipt of this order.

4. Sri P.Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P.Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District is further informed that if he does not submit his Written Statement of Defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri P.Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri P. Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(p.t.o.)

7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P. Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District **through** the Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve and return the acknowledged copy and Written Statement of Defense).

Copy to:

The Genl. Admn. (Vigilance & Enforcement) Department, Administrative block, 2nd floor, Pandit Nehru Bus Station, Vijayawada.
The Secretary, Andhra Pradesh Vigilance Commission, 5th Block, first floor, Sectt., Buildings, Velagapudi, Guntur Dist.
The Panchayat Raj & Rural Development (Estt.I) Department.
S.f./S.c.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI P.NAGESWARA RAO, SE., PR., KADAPA AND THE THEN EE., PRI DIVISION KADAPA YSR DISTRICT

CHARGE:-

That Sri P. Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District has committed grave irregularities in execution of project for Comprehensive development of SC/ST Colonies under MGNREGS for "providing internal Roads and CC Drains in Narasanna Palli SC colony of B. Mattam Mandal" in YSR Kadapa Dist., and caused loss to the Government exchequer to a tune of Rs. 42,22,739/-., in as much as he:-

1. Laid CC Pavement without obtaining design mix report and approval from the competent authority.
2. Executed and made payment without ascertaining the quality of CC pavement having substandard quality worth Rs.37,94,669/-.
3. Made Payment without actually laying sand layer under CC pavement, causing loss to Government to the tune of Rs.4,28,070/-
4. Laid CC pavement in other than SC colony to a length of 1135.10m against G.O.389.

Thus, Sri P. Nageswara Rao, Superintending Engineer, PR, Kadapa and the then Executive Engineer, PRI Division, Kadapa YSR District by his above mentioned acts, has exhibited lack of integrity, not shown devotion to duty and exhibited conduct unbecoming of a Government Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI P.NAGESWARA RAO, SE., PR., KADAPA AND THE THEN EE., PRI DIVISION KADAPA YSR DISTRICT

The V&E Department has inspected the work "Providing CC Roads with CC Drains in Narasanna Palli SC colony of B. Mattam Mandal" YSR Kadapa Dist." and furnished their report in Vigilance Report No.71 (40-1/V&E/E/2015), dated:01.08.2017. The following irregularities were reported by the V&E department in their report on the said work:-

i. Sub grade soil exploration was not conducted and the crust of the pavement was neither designed nor approved. The crust of the road was provided as per the drawing communicated by the technical advisor to Rural Development without ascertaining the sufficiency of the CC pavement thickness. The thickness of CC pavement, 125 mm provided in the approved estimate was insufficient as per table 5 of IRC SP 62 – 2004, but sub base thickness provided was more than the required.

ii. In the original sanctioned estimate, the width of CC pavement provided was 2.50m, the width of GSB required was 2.95m (2.50 + 2x0.225) and width of WBM required was 2.70m (2.50 +2x0.10) considering 1H:1V (45 degrees) load distribution. GSB of 3.65m width provided in original estimate were more than required, but after approval of working estimate for 3.00 m width of CC pavement, the width of GSB and WZBM were satisfactory. Gravel Shoulders of 0.75 m width provided on both sides of the carriage way were not executed, resulting in roadway of 3.00m width and crossing of the vehicles was difficult.

iii. Sand layer of 100 mm/75mm thickness was not executed under CC pavement. The field Officers recorded measurements in M.Book without actually laying sand layer and the payment authority paid bills without any work. The recovery calculated and proposed for cost of sand layer paid without actually executing sand layer is Rs.4,28,070/-

iv. The lengths of CC pavement when verified were found to be not tallying with the recorded measurements in roads 1) Upadesi house to CH.Guravaiah house road 2)Main Road to Pedda Obaiah house road, 3) Main road to Polaiah house. The total shortfall in length is 144.25m (56.75+78.70+9.80).

v. The CC pavement was executed without obtaining the Mix design for M 30 grade concrete and without obtaining approval of the mix design report by the competent authority. The compressive strength of CC pavement was tested by extracting 21 CC cores from Hardened concrete and the strength obtained was not satisfying the strength requirement as per Clause 17.4.3 of IS456 -2000 (RA 2011) for M30 grade concrete. The CC pavement was rejected due to substandard quality and it will not serve the intended purpose. The value of the Rejected CC pavement is Rs.37,94,669/- .

vi. CC pavement was laid against the norms in other than SC colony to a length of about 1135.10m in Virat Nagar of B.Mattam town against the aim of the G.O.389 to develop the SC/St localities.

(p.t.o.)

vii. The total length of the CC pavement executed was 4076m against the provision of 1785m in original estimate. The length of the road executed is 2291m more than original estimated length and the percentage of deviation is 128.30%

viii. During field verification, it was observed that CC pavement was laid at different levels at the junction of the roads. Longitudinal profile was not maintained for smoothly negotiating the vehicle at the junctions.

ix. Provision of CC drains of 3570 m length was made in the original estimate. It was reduced to 375 m in the working estimate, but CC drains were not executed with an intention to execute more length of CC pavement in areas other than SC colony. Provision of Cover slabs was made to a length of 3570 m in original estimate, reduced to 375 m in working estimate and finally not executed.

x. The work was completed, and the work done estimate and completion report were approved on 24.02.2015. The value of work done is Rs.78,17,801/- including VAT and other statutory provisions. There is a saving of Rs.6.97 Lakhs available in the work done estimate.

Sri P. Nageswara Rao, Superintending Engineer, PR is responsible for the above irregularities as a field level supervisory functionary / executive.

Thus, the above accused officer has failed to discharge his legitimate duties properly and acted for his personal gain and caused loss to the Government, to a tune of Rs. 42,22,739/- in contravention of APCS (Conduct) Rules, 1964.

Hence, the charge.

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE -III

List OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI P.NAGESWARA RAO, SE., PR., KADAPA AND THE THEN EE., PRI DIVISION KADAPA YSR DISTRICT ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No.71 (C.No.40-1/V&E/E/2015) dated:01.08.2017

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI P.NAGESWARA RAO, SE., PR., KADAPA AND THE THEN EE., PRI DIVISION KADAPA YSR DISTRICT ARE PROPOSED TO BE SUSTAINED

NIL

DR. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER